

## Message Text

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PAGE 01 STATE 044042

45

ORIGIN ERDA-07

INFO OCT-01 EUR-12 ISO-00 OES-05 IO-11 NRC-07 OIC-02 L-03

/048 R

DRAFTED BY:USERDA/AIA:OIP:EMA:SGRIFFITH

APPROVED BY:OES/NET:M PROCHNIK

USERDA/AIA:AGIAMBUSO

EUR/RPE:GWOLFE

----- 108987

P 241452Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY PARIS PRIORITY

INFO USMISSION EC BRUSSELS PRIORITY

UNCLAS STATE 044042

E.O. 11652: N/A

TAGS: TECH

SUBJECT: ERDA/CEA DRAFT GENERAL NUCLEAR COOPERATION AGREEMENT

REF: PARIS 00835, STATE 034961

1. THIS REPLIES TO REFTEL PARA 4 WHICH DEALS WITH PRIVILEGED INFORMATION. REMAINING POINTS OF REFTEL HAVE BEEN ADDRESSED BY SEPARATE MESSAGE.

2. THE U.S. LEGAL FRAMEWORK WITHIN WHICH ERDA OPERATES, INCLUDING FEDERAL STATUTES (I.E., FREEDOM OF INFORMATION ACT, ATOMIC ENERGY ACT) AND JUDICIAL DECISIONS, REQUIRES THAT INFORMATION TRANSFERRED UNDER SUBJECT AGREEMENT MUST SATISFY THE FOUR CRITERIA IN ORDER TO BE CONSIDERED "PRIVILEGED." WHETHER THESE FOUR CRITERIA ARE MET IN ANY PARTICULAR CASE IS DEPENDENT UPON OBJECTIVE SATISFACTION OF THE FOUR CRITERIA. ACCORDINGLY, MERE UNILATERAL ASSERTION THAT DATA IS "PRIVILEGED" NOT ACCEPTABLE IN ABSENCE ASSURANCE THAT DATA MEETS THE FOUR CRITERIA.

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PAGE 02 STATE 044042

3. A GIAMBUSO, ERDA, WILL BE PREPARED TO DISCUSS THE AFORE

MATTER IN MORE DETAIL DURING HIS VISIT TO CEA ON FEBRUARY 27.  
INGERSOLL

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SCIENTIFIC COOPERATION, NUCLEAR AGREEMENTS, NUCLEAR ENERGY, NUCLEAR COOPERATION PROGRAMS, TECHNOLOGICAL EXCHANGES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 24 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976STATE044042  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** USERDA/AIA:OPI:EMA:SGRIFFITH  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760069-0073  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t19760218/aaaaapep.tel  
**Line Count:** 63  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN ERDA  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 PARIS 835, 76 STATE 34961  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** castelsl  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 13 JUL 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <13 JUL 2004 by schwenja>; APPROVED <26 AUG 2004 by castelsl>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** ERDA/CEA DRAFT GENERAL NUCLEAR COOPERATION AGREEMENT  
**TAGS:** TECH  
**To:** PARIS  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006